

## AMENDMENTS TO THE CLAIMS

Claims 1 to 34 (Cancelled)

35. (Currently Amended) A method of diagnosing the presence of a tumor or predisposition to a tumor in a sample comprising:

a) determining the expression level of RNA encoding a polypeptide ~~comprising~~consisting of the sequence of amino acids 2 to 357 of SEQ ID NO:3 in a normal tissue sample and in a test tissue sample by measuring RNA of said polypeptide; and

b) comparing said expression level of said ~~polypeptide~~RNA from said test tissue sample with said expression level of said ~~polypeptide~~RNA from said normal test sample; wherein an elevated expression level of said ~~polypeptide~~RNA in said test tissue sample relative to the expression level of said ~~polypeptide~~RNA in said normal tissue sample is indicative of the presence of a tumor or a predisposition to a tumor.

36. (Currently Amended) The method according to Claim 35, wherein said RNA measurement comprises specific hybridization between said RNA to the complete complementary sequence of a member of the group consisting of:

a) an isolated nucleic acid ~~comprising~~consisting of a polynucleotide provided as SEQ ID NO:2;

b) an isolated nucleic acid ~~comprising~~consisting of nucleotides 251 to 1324 of SEQ ID NO:2;

c) an isolated nucleic acid ~~comprising~~consisting of nucleotides 254 to 1324 of SEQ ID NO:2;

d) an isolated nucleic acid ~~comprising~~consisting of nucleotides 521 to 565 of SEQ ID NO:2;

e) an isolated nucleic acid ~~comprising~~consisting of nucleotides 1055 to 1105 of SEQ ID NO:2;

f) an isolated nucleic acid ~~comprising~~consisting of nucleotides 1271 to 1312 of SEQ ID NO:2;

g) an isolated nucleic acid ~~comprising~~consisting of nucleotides 716 to 787 of SEQ ID NO:2;

h) an isolated nucleic acid ~~comprising~~consisting of nucleotides 947 to 997 of SEQ ID NO:2;

i) an isolated nucleic acid ~~comprising~~consisting of nucleotides 1106 to 1165 of SEQ ID NO:2;

~~\_\_\_\_\_ j) an isolated nucleic acid comprising a polynucleotide encoding the polypeptide provided as SEQ ID NO:3;~~

~~\_\_\_\_\_ k) an isolated nucleic acid comprising a polynucleotide encoding amino acids 2 to 357 of SEQ ID NO:3;~~

~~\_\_\_\_\_ l) an isolated nucleic acid comprising a polynucleotide encoding amino acids 90 to 104 of SEQ ID NO:3;~~

~~\_\_\_\_\_ m) an isolated nucleic acid comprising a polynucleotide encoding amino acids 269 to 284 of SEQ ID NO:3;~~

~~\_\_\_\_\_ n) an isolated nucleic acid comprising a polynucleotide encoding amino acids 340 to 353 of SEQ ID NO:3;~~

~~\_\_\_\_\_ o) an isolated nucleic acid comprising a polynucleotide encoding amino acids 155 to 178 of SEQ ID NO:3;~~

~~\_\_\_\_\_ p) an isolated nucleic acid comprising a polynucleotide encoding amino acids 232 to 248 of SEQ ID NO:3;~~

~~\_\_\_\_\_ q) an isolated nucleic acid comprising a polynucleotide encoding amino acids 285 to 304 of SEQ ID NO:3;~~

[[r]]i.) an isolated nucleic acid ~~comprising~~consisting of the polynucleotide sequence provided as SEQ ID NO:30;

[[s]]k.) an isolated nucleic acid ~~comprising~~consisting of the polynucleotide sequence provided as SEQ ID NO:31;

[[t]]l.) an isolated nucleic acid ~~comprising~~consisting of the polynucleotide sequence provided as SEQ ID NO:32; and

[[u]]m.) an isolated nucleic acid ~~comprising~~consisting of the polynucleotide sequence provided as SEQ ID NO:33.

wherein said hybridization is performed under conditions at least as stringent as hybridization in 6x sodium chloride/sodium citrate (SSC) at about 45°C followed by one or more washes in 0.2 x SSC/0.1% SDS at about 50-65°C.

37. (Withdrawn) The method according to Claims 35 or 36, wherein said tumor is a stomach tumor.

38. (Previously Presented) The method according to Claims 35 or 36, wherein said tumor is a breast tumor.

39. (Withdrawn) The method according to Claims 35 or 36, wherein said tumor is a testicular tumor.

40. (Withdrawn) The method according to Claims 35 or 36, wherein said tumor is a prostate tumor.

41. (Withdrawn) The method according to Claims 35 or 36, wherein said tumor is a pancreatic tumor.

42. (Withdrawn) The method according to Claims 35 or 36, wherein said tumor is a colon tumor.

43. (Withdrawn) The method according to Claims 35 or 36, wherein said tumor is a lung tumor.

44. (Withdrawn) The method according to Claims 35 or 36, wherein said tumor is an ovarian tumor.